

Supplement TO THE SYDNEY MORNING HERALD.

FRIDAY, APRIL 28, 1848.

**AUSTRALIAN
GENERAL ASSURANCE COMPANY,**
Office No. 488, GEORGE-STREET,
SYDNEY,
(Opposite the Barrack Gate.)

CAPITAL, £400,000 IN 4000 SHARES.

DIRECTORS
John Lamb, Esq., M.C., Chairman
H. H. Brown, Esq., Deputy Chairman
John Alexander, Esq.
William Brown, Esq.
William Fanning, Esq.
Jacob L. Montefiore, Esq.

SURVEYOR
Captain Ashmore, Kent-street North.

RISKS are taken on approved Vessels of Forty-five Tons Register and upwards; and applications received for Insurances daily from ten to three o'clock.

The Directors meet for the despatch of general business every Wednesday at one o'clock.

J. C. PHELPS,
Secretary.

**COMMERCIAL BANKING COMPANY
OF SYDNEY.**

IN conformity with a resolution of the Proprietors, passed this day, notice is hereby given, that a General Meeting of the Shareholders in this Bank will be held at the Royal Hotel, on Saturday, the 29th day of April, at 12 o'clock precisely, for the purpose of electing the first Directors and Auditors.

Candidates for the office of Director are required to give notice to the Provisional Committee of their being candidates for such office on or before the 20th instant.

JOHN LAMB,
Chairman.

Sydney, April 13.

**COMMERCIAL BANKING COMPANY
OF SYDNEY.**

NOTICE IS HEREBY GIVEN, that the undersigned gentlemen have given the required notice of their being candidates for the office of Directors of the above Bank, viz.:

William Bowman, Esq., M.C.,
John Henry Chalmers, Esq.,
Samuel Alexander Donaldson, Esq., M.C.,
John Lamb, Esq., M.C.,
Henry Watson Parker, Esq., M.C.,
George Shorthouse Sharp, Esq.,
Henry Gilbert Smith, Esq.

By order of the Provisional Committee,
EDWARD KNOX,
Secretary.

Sydney, April 22.

ROYAL BENGAL TIGRESS
TUT LAMPOO, 22 WALLAW.

THIS beautiful Animal will be exhibited for a few days prior to its departure for England, at Mr. Thomas Clancy's, King-street East; a few doors from the Rainbow Tavern, Pitt-street.

Admittance, one shilling; children, half-price.
Open from nine a.m. till five p.m., during the Easter Holidays.

LAND REGULATIONS.—A Public Meeting of persons who are opposed to the proposed Land Regulations for the settled districts, will be held at Mr. Handrahan's, Valley Steamers Inn, Frederick's Valley, on TUESDAY, the 6th May next, to consider the propriety of petitioning the Executive for their reconsideration and amendment.

Bathurst, April 20.

SHEEP, CATTLE, AND STATIONS.
MR. STEWART, Veterinary Surgeon and Auctioneer, begs to announce that he is desirous of extending his business as agent for the sale and purchase of

STOCK AND STATIONS.
Either by special contract or by auction, and he respectfully solicits the patronage of his friends and the public.

Having had personal experience of equipping and equipping, and having correspondents in nearly all the equipping districts, he hopes he will be found able to conduct these sales in a business-like manner.

Letters must be pre-paid.

MEDICAL.—C. L. D. FARRINGTON, M.D., and Surgeon, No. 230, Elizabeth-street North, opposite Mr. Norton's office.

THE OFFERTORY.

THIS DAY is Published, price 6d., a Letter to Henry Osborne, Esq., J.P., on the PROPRIETY and NECESSITY OF COLLECTIONS at THE OFFERTORY, by the Lord Bishop of Sydney.

To be had of W. and F. Ford, and Colman and Piddington, George-street.

April 20.

**NOVEL AND ATTRACTIVE
IMPORTATION OF DRAPERY,
SLOPS, &c.**

**HIGHLY IMPORTANT
TO
WHOLESALE AND RETAIL BUYERS,
OF EVERY CLASS IN THE COLONY.**

(133) ONE HUNDRED AND THIRTY-THREE CASES AND BALS, IMPORTED BY THE

**CHRISTOPHER NEWTON AND
BROTHER** have the pleasure to announce the receipt of a most splendid assortment of

NEW GOODS.
Of which (108) one hundred and eight cases and bales are goods purchased for Cash, and shipped by their English buyer, Mr. William Newton, of London, expressly to their own instructions; and the remaining (25) twenty-five cases are shipped (to order) by

Messrs. S. W. SILVER AND CO.,
And selected purposely for the

BEE HIVE.
Without any exaggeration this may be said to be the

LARGEST assortment ever received by any drapery house in the colony, the value of the goods imported being upwards of

£12,000.

C. N. and Brother respectfully inform their friends, that they will, in the course of a few days, lay before them a more elaborate description of these valuable additions to their stock; in the mean time they wish to state, that the whole must be sold with the utmost despatch, for the purpose of removing, in order to secure another lot for the following season; and in compliance with their usual system the whole (which they are now busy opening) will be marked at a very small advance upon the genuine English price.

The following is a rough sketch of the new goods prior to the further particulars promised:

7 Cases woollens, comprising superfine black, blue, and invisible green broads; black and drab kerseys, plain and fancy doekings

1 Bale superior pilot cloths

4 Cases silks, in black and coloured gros de Naples, satins, antimetis, checks, foulards, shawls, mantles, and scarfs

1 Bale blue, drab, and brown bavers

6 Cases hosiery, in white, black, and coloured cotton hose, brown and coloured socks, child's socks, lambswool and merino hose, vests, drawers, and pantaloons

1 Bale 8-4 white sheeting

6 Cases gloves, in ladies' gentlemen's, and children's—lace, silk, kid, cashmere, cotton, merino, and worsted

12 Cases black and coloured Orleans cloths, superior qualities

8 Cases alpaca cloths

6 Cases British and French merino, Coburg, and coloured French merinos

8 Cases ribbons, plain and fancy serenet and satin, in bonnet styles and gauzes

14 Bales 8-4, 9-4, 10-4, 11-4, 12-4, 13-4 superior blankets

6 Cases haberdashery, comprising sewing cottons, tapes, pins, needles, bindings, thimbles, tailors' trimmings, wire thread, fancy goods, and in fact a general assortment of every article in the trade

1 Bale Welch flannel

8 Cases choice new styles, in prints, shirtings, and small patterns

4 Cases shawls, in plain and bordered cashmere and Norwich filled shawls, turnovers, and fancy neck ties

8 Bales 11-4 New Zealand blankets; these are made expressly for the New Zealand trade, and are just the article required

2 Cases black and coloured silk velvets and silk plushes

EX CHANGELY.

GEORGE CHISHOLM has just opened three cases best Kidderminster carpets, all choice patterns, and at a very low price.

Likewise,
Five cases fashionable dresses, consisting of richness, de laines, and serge

Six cases

GALA PLAIDS.
Of a beautifully fine texture, and the newest patterns, with a large assortment of other goods suitable for the present and approaching season.

G. C. would particularly draw the attention of ladies to his stock of

Fringed cloths
Muslins
Dimities
Furniture prints
Table linen
Blankets
Quilts
Counterpanes
&c., &c.

213 Pitt-street.

HOLLOWAY'S PILLS.
THE undersigned has just received, ex Sydney (which will be landed in a few days), a supply of GENUINE HOLLOWAY'S PILLS AND OINTMENT.

A. FOSS,
Wholesale and Retail Chemist and Druggist,
313, Pitt-street North.

April 22.

**TO CAPTAINS OF VESSELS AND
OTHERS.**

JUST LANDED, and on sale at the Stores of the undersigned—
Split Peas, in first rate condition.

R. CAMPBELL,
Circular Quay.

April 26.

SEED OATS. SEED OATS.
Colonial and Derwent Oats at a low price

Cape Barley, &c., &c.

FEARNEY'S
Cheap Corn Stores,
Lower George-street.

Old Biscuit on sale.

**RE-OPENING OF THE LONDON
TEA WAREHOUSE,**
No. 364, GEORGE-STREET.

ANTHONY REYNOLDS begs to inform his old friends and customers, that he has this day opened the above premises, with an entire new stock in the general grocery line; and having made his purchases during the present depressed market, he is enabled to sell at a great reduction on former prices. Private Families are respectfully solicited to give this house a trial; they may rely on being waited on with civility and despatch. Cash and roll butters, from a celebrated dairy, twice a week. An extensive stock of heavy goods on hand, suitable for storekeepers and settlers.

Sydney, April 14.

VARROVILLE BUTTER.
ANTHONY REYNOLDS respectfully intimates to his numerous customers, that he has succeeded in obtaining for their accommodation, the above celebrated Roll Butter, deliverable at their residences every Friday.

LONDON TEA WAREHOUSE,
364, George-street.

April 20.

MARSALA WINE.—A fine batch, in bottles and quarts, now being landed from the Ennedale, and brand—
"Woodhouse and Co."

For sale in lots to suit purchasers.

Apply to
ROWAND, MACNAB, AND CO.,
7079

BACON.—The undersigned has just received from Bathurst 100 sides of beautiful light bacon, thoroughly smoked and cured, well suited to the use of families.

A. FAIRFAX,
394, George-street.

COARSE PACKING SALT, for sale by
S. WILKINSON, JUN.,
Macquarie-place.

**JAMES BARKER'S STORES, EAST
MAITLAND**

TO be disposed of, with immediate possession, the Lease and Stock-in-Trade, on very advantageous terms; the business a prosperous one, and the situation first-rate; with a good family house; the whole well adapted for any respectable person with moderate means, wishing to commence in a country store.

WOOL, &c.—The undersigned is a Cash buyer of Wool; or will make liberal advances on Wool or Produce, consigned to his friends in England.
Wool re-packed and sorted.
THOMAS HOLT, JUN.,
134, George-street South.

WOOLLOOMOOLOO.

FOR SALE BY PRIVATE CONTRACT.—Several excellent allotments in the above superior vicinity, adjoining the residence of the Lord Bishop of Sydney, Sir Maurice O'Connell, the Hon. C. D. Riddell, John Raymond, Esq., Postmaster-General, John Gilchrist, Esq., &c.

The above allotments are delightfully situated on that part of Woollloomooloo Hill so deservedly celebrated for its beauty and salubrity. They are very spacious, possessing frontages to M'Leay, Victoria, and Dowling streets, with unusual depths, varying from 150 to 200 feet.

The valley of Woollloomooloo, with Farm Cove, Port Jackson, the Domain, and the city, are all within view, and the distance to the Post Office, George-street, may be easily walked within ten minutes.

For particulars apply to Mr. E. J. H. KNAPP, 205, Elizabeth-street, (where a plan of the allotments may be seen) who will render every information to parties desirous of purchasing.

Terms, liberal.

FOR SALE.
2100 SHEEP, of a superior description, now running at Byron Plains, New England, on the Northern Road, consisting of—

835 Breeding ewes, chiefly young
254 Maiden ditto
250 Ewe lambs, of September last
60 Wethers, 18 months to 4 years
150 Wether lambs, of September last
30 Young rams, first season.

2100 or thereabouts.

These sheep are bred from the finest woolled rams that could be procured in the district, and will be warranted in every respect. Approved bills at 3, 6, and 9 months date from the 1st July next, will be taken for three fourths of the purchase money, up to which day the sheep will be kept for the purchaser, free of expense.

Apply to **JOHN MATHER, Esq.,** Armidale; or to
WM. H. EDINGTON,
Byron Plains, New England.

7204

ADVANCES ON WOOL.
THE Undersigned will make cash advances on Wool, upon its arrival at his Stores, intended for sale either by auction or Private contract, and will, if required, store it for ninety days previous to sale, without charge.

Commission for effecting sale only one per cent.

SAMUEL LYONS
Auctioneer,
George-street and Charlotte-place.

August 4.

THE undersigned will purchase Wool, Tallow, and other Colonial Produce, or will make liberal Cash advances thereon, if consigned to Messrs. D. Cooper and Co., London.

COOPER AND HOLT,
Waterloo Warehouse.

£50 REWARD.—Whereas some person or persons to me unknown, are in the habit of trespassing on my runs known as Berthong, and Ewe-Ewe, and driving away calves from their mother's sides, my property, and marking them as follows, viz.:

MALLES.
Some of them J on the rump off side
" " J on the thigh off side
" " J on the thigh near side
" " FEMALE.
" " M on rump off side
" " R on thigh near side
" " R on thigh off side

And whereas such calves have now returned to the above runs, with those marks on, and are now at their mother's feet, suckling; I hereby offer a reward of fifty pounds to any person or persons who will give such information as will lead to the apprehension and conviction of the person or persons so offending. Apply to

EDWARD RYAN,
Yallong Yarr, or to
COOPER AND HOLT,
Sydney.

6523

FIVE POUNDS REWARD.—Stolen from the Bark Hotel Boiling Establishment:—A Cart Horse of the following description, about seventeen hands high; seven years old; colour, dirty brown; star on forehead; off hind fetlock white, and a little bent outwards; and cracks in both the fore feet; white saddle marks; branded H on the shoulder; long tail, some of the hair rubbed off. Whoever will deliver the above Horse here, or to any responsible person, will receive £5 if strayed; and £5 if stolen; during the same night two saddles and a bridle were stolen from this establishment.

JOHN HAMILTON,
Bark Hotel, April 24.

STRAYED, an Entire Colt, branded W on the near shoulder. Any person delivering the same to Mr. M. Moore, Yates; or Mr. Charles Simpson, Gundagai; or to the undersigned, at the Albany Store, will receive three pounds reward, or two pounds by giving such information as will lead to the recovery of the said colt; and twenty pounds will be given to any person that will give such information as will lead to the conviction of any person detaining the said colt after this date.

WILLIAM COBLEY,
Albany Store, Apr 15.

6512

port the home Government had suspended Mr. Webb, the Sub-Collector, and afterwards, on his explanation, reduced the amount of the surcharge to which he was reported to be liable, to £32. The home Government in this case had decided for itself. Had that matter, just as nearly concerning the colony as the present, been referred to the Council? No; but Mr. Barnes is then sent here on another inspection errand, and makes these surcharges against his honorable friend the Collector of Customs. Whether those charges were just or unjust, was not the question; but to get rid of the duty themselves, the home Government flung these accounts to the Council for examination. He contended the Council had nothing whatever to do with them; and, further, that the proposed examination of them was absolutely impracticable. He, for one, pleaded guilty to the grossest ignorance of anything connected with such matters. He was in a state of the deepest mental darkness as to the meaning and uses of customs and manifests, and all the mere technicalities connected with the subject, which the Council would have to go through a regular course of schooling to comprehend. It would, he felt sure, take him a full fortnight to acquire the correct meaning of the mere technical terms, whilst to wade through the complicated mass of accounts, and the matters of official routine, which were in dispute between the parties at issue, would be an endless work. But notwithstanding these difficulties, if this examination were a duty on the part of the Council, if it were one involving anything like corruption, or endangering the rights or interests of the colonists, all the labour and trouble, and application required for the performance, should be disregarded; and however difficult and disagreeable the task might be, they ought never to rest till it was completed. They were the great inquest of the colony, as the Parliament was of the Empire. They were not a mere legislative or money-making machine. The protection of the entire interests of the colony devolved on them. With respect to the colonists of New South Wales, the same functions appertained to them as to the Commons of England. But this was no duty belonging to them; and even when Parliament did go into any such enquiry, it did it of its own motion, and not, as this was attempted to be forced upon them, by the direction of the Minister; and there had been instances in which public delinquents had been impeached without the consent of the Minister at all. But there was one other objection to their having anything to do with this enquiry, which appeared to him to be more strong than any which he had as yet urged. That objection was, that whatever the result of the enquiry might be, whatever the decision to which they arrived on it might be, they had no assurance that it would be considered by the home Government. What security had they that their decision and recommendations on this point would be respected. Why should a Secretary of State, who would not allow them to appoint a select committee according to their own standing orders—who habitually condemned, despised, and spit upon their acts and suggestions—pay any regard to what they might say or do in this matter. He for one would not consent to such a concession of their independence as to make this enquiry, which they had no right to make, which they were not called upon by their duty to make, merely on the dictation of the Secretary of State when they were allowed to do nothing in reference to matters which they did understand, and which came within the proper sphere of their duties. It was only giving an opportunity to the Secretary of State to visit facts with still further insult and contumely. This was what he most complained of. Without some assurance that their enquiry would be considered of some small, what was of this Colonial Secretary but an insulting mockery of courtesy to veil an excuse for throwing an irksome job off his own hands? These were the words of the Secretary of State, considering that the whole of the revenue, the receipt and collection of which have been thus investigated, is placed at the disposal of the Legislative Council, is of opinion that a question affecting that revenue to so great an extent should not be finally disposed of by any authority in England until the Council shall have had an opportunity of informing themselves, and of submitting to the Queen their opinion as to the State which it would be right and judicious to pursue. Now what was it that this seeming courtesy really implied. Simply that the Council might report, but that their report should not be final or conclusive. They might make enquiries, they might take explanations, they might make plain all the dark and mysterious technicalities of the documents on the table, and they might advise Her Majesty what course to pursue; but it was still quite optional for Her Majesty, or rather her adviser, to have his own way. They might do this disagreeable piece of work—and have the Colonial Secretary regardless of their opinion, or coolly telling them of their ignorance. Many questions had been before the Council which they did understand, (and he contended they did not understand this) which they were quite competent to deal with, (and he repeated they ought not to entertain this), and they had given their opinions upon them; but which of their opinions had been respected or acceded to by the Minister? Had their opinion been taken on the subject of the price of Crown lands, of which they may be the best judges? Had their opinion been respected on the subject of the schedules appended to the Constitutional Act. Had their wishes been met in the appeals they had made, backed by the colony at large, against the destructive system of District Councils. Were they blind to the rejection of their opinions on all these matters. Matters which they must be more capable of judging of than any other body; or would they, seeing how they had been treated on these subjects, bow down and pray for renewed insult? (Cheers). Let them look at the dignified position they would hold. They would make a report, recommending some course. They would report on a careful investigation of the merits [of the case, the Minister would have made some use, with a careless ease, would coolly set aside the wish of the Council, to follow his own will, and show how contemptibly insignificant an opinion from a colonial Legislature must be, even when asked for, of clashing with the views of the

supreme power in Downing-street. What earthly fruit had the Council to expect from this examination if made. What possible good to the colony could accrue from it, and why should they go out of their way to make it? They were not allowed to elect a Committee in their own way. Let those honorable members who would condescend to enter into the enquiry do so. He for one would never be a party to it. Mr. Barnes was not the officer of the colony or the Council, he was the officer of the home Government, and to those who employed him, let him send his report. What chance had they of judging whether his report was true or false? Let the officer of the home Government defend himself to the home Government. That Council had no power to call him before them, or ask explanations from him. He repeated that the Council would be guilty of the greatest self-degradation if they interfered in this matter at all. They could not by any possibility have time to do so; and in respect to a department on which they have been so pointedly insulted, they ought not to consider the proposition for one moment. He therefore should propose the following resolution—
Resolved, That the consideration of the Message from His Excellency the Governor, No. 15, that as the report of the Customs Department has been expressly withdrawn from the control of the Council, by the statute 7 and 8 Vict. c. 72, and as no assurance is given to the Council that the result of the proposed investigation will be final, or will indeed be in any way the ultimate decision of the Board of Customs, the Council declines to enter into investigation of the surcharges against the Collector of Customs.
Captain O'CONNELL seconded the resolution, and should have been pleased to have recorded his vote in silence, had it not been for the pointed animosity with which the honorable and learned member for Auckland had attacked some of the appointments made by the late Governor. Not indeed content with attacking the appointment, he had ventured to attack the private character of the Sub-Collector of Customs for Moreton Bay. He would not dispute with the honorable and learned member the perfect right he possessed to complain of the corruption or incapacity of any officer of the Government in his official capacity; but he must express his strong opinion that the honorable and learned member had gone very much out of his way, to avail himself of his professional knowledge in the Supreme Court, to throw out insinuations upon the private character of any individual. He could not but think that any attacks on private character were highly discreditable, and recoiled upon the character of the House itself. It was not fair of any honorable member to take advantage of his position in that House to assail any individual, and unsettle opinion concerning the rectitude of his private conduct. It was most advisable that personal allusions of any kind should, as much as possible be avoided. He did conceive it necessary to go into the main subject before them, agreeing as he did with much that had been urged by the honorable and learned member for Auckland. It fell from the honorable and learned member for Auckland, respecting the appointment of the Sub-Collector of Customs at Moreton Bay. He thought it due to him that he should, as far as possible, defend that gentleman from the attempts that had been made to assail his private character. He could safely state that he was utterly at a loss to understand the allusion of the hon. and learned member, for he had never heard a word breathed against his private character, or his honour or moral rectitude in any way impugned. But he knew him to be a man of talent and capacity, and that he had had the honor to show that, being subjected to any measure of slander spread by his opponents behind his back, and when he was not present to answer for himself. He believed a man of his stamp, a man of undoubted talent, must be an advantage to any department, and any rule that went to prevent such an appointment, if such a rule did exist, would be a wise one. He (the Attorney-General) had very little acquaintance with the gentleman in question personally, but he would own that he had a high respect for his talents and the honesty with which he had always conducted them. He deemed that the revenue, of the abstraction of which from the control of the Council the hon. and learned member complained, had ever been taken away from them. He asserted now, as he had contended when the question was first brought under the consideration of the House, that the Constitutional Act never gave the Council the control of these revenues. (Oh, oh.) The Act 7 and 8 Vict. c. 72, intended to be the Act of the Council, to the hon. and learned member for Auckland as having deprived the Council of this power, was merely a declaratory Act explaining the meaning and intention of the Constitutional Act. He agreed, however, considering their position, the shortness of the session before them, that any enquiry at this stage would be entirely hopeless.
Mr. BLAND thought that the facts that had been elicited in the discussion had shown that the principal irregularities that had occurred were in the Customs House department at home. The accounts at home, they heard, were audited annually, but accounts from this colony, at so great a distance, were allowed to remain unaudited for years. This proved that either audit of the accounts of this colony was not necessary, or that the duty had been most shamefully neglected at home. It was one more proof of the absurdity of managing affairs in Downing-street, which occurred 16,000 miles off. With regard to the enquiry, he considered it perfectly impracticable as well as perfectly useless. If the charge were proved, what avail would it be if the balances had been allowed to run on to a sum far beyond the power of any individual in the colony to make restitution. Why, too, was the enquiry confined to one particular year, and that year one of enormous trade and speculation? Why were not the years 1845 and 1846 taken up by Mr. Barnes. He should seriously oppose any measure of enquiry into accounts so far back as the year 1840. No satisfactory evidence could be given, and such enquiry must therefore be perfectly nugatory.
The COLONIAL SECRETARY perfectly agreed with honorable members, and wished to be distinctly understood to state that there was nothing whatever in this matter to impeach the honour of his honorable friend the Collector of Customs. All that was intended in the report was a laxity in the production of certain vouchers, which rendered him liable to certain charges for duties alleged to have been

omitted to be charged. They had heard the explanation of his honorable friend with regard to the leakage and other items, and he had no doubt that at a proper time that explanation could be fully sustained. Much stress had been laid upon the enquiry being confined to the year 1840, but he thought this might be well accounted for by the fact of this being the period at which Mr. Barnes's previous inspection ceased, and it was therefore natural he should resume it at the place where he left off. No doubt he intended to go through the whole of the subsequent years, but he doubtless found it impossible to do so, the trade being so much larger, and the transactions so much more numerous than he could have anticipated. He fully believed that the intention of the British Government in referring this matter to the Council had been most courteous, and he regretted it had not been met in the same spirit. He had great faith in the correctness of his hon. friend the Collector of Customs, and could only wish that an opportunity were afforded him of completely justifying himself from charges, of the nature of which he for one owned himself profoundly ignorant.
Mr. COWPER, like the Colonial Secretary, was profoundly ignorant of the nature of the charges against the Collector of Customs, and a firm faith in the ability of that officer to afford the most satisfactory explanation. But he entirely agreed with the honorable and learned member for Auckland, in the reasons he had so forcibly laid before the Council, why he should refuse to deal with this subject at all. Those arguments entirely convinced him, and he had heard nothing since to change his opinion. Looking at the way that they had been treated on other subjects, they would never have had the seeming courtesy proffered to them had it not been the desire of the home Government to shelve the matter altogether.
Mr. LOVE had listened to the homily of the hon. and gallant member for Port Phillip with deep attention, and had endured the lecture of his hon. and learned friend the Attorney-General with the greatest patience, and he was willing to say in the reference he had made to the private character of the Sub-Collector of Customs for Moreton Bay that he had acted wrongly, and was sorry for it. But this was the extent to which his recantation could go; for the appointment itself, he denounced as a bookkeeper's job as was ever perpetrated. The person appointed to do a job of ink or a sheet of blotting paper—and what claim this gentleman, as it was the fashion to call him, could have on the ground of merit or desert to a place in the Customs he was at a loss to know. As to the proceedings of Mr. Barnes, some hon. members it would seem had fallen pretty nearly into the same error as that of which they had accused him—in ascribing selfish and improper motives as the origin of his appointment. He did not think this was desirable. The Council ought not to express any opinion in the matter till it had been fairly judged. Not even should any expression go forth to induce an impression in favour of either of one party or the other, however much the good wishes and confidence of the House, in which he heartily joined, went in favour of the honorable Collector of Customs. There was one other point suggested itself to him why they should not undertake this enquiry. He supposed Mr. Barnes's expenses were paid out of the revenues of the colony, and if so it would have been but fair if the Council had been asked their pleasure before this inspection commenced, and he rather fancied they would have declined the expensive pleasure of paying for the tying of the *Vendex* knot they were now asked to unravel. With regard to the courtesy of the home Government, he could not understand it or believe it. He was not quite a child to be insulted one day and patted on the head the next, and he therefore maintained that in support of their position they ought resolutely to decline all interference in this matter.
The question was then put and passed, and an address, embodying a resolution ordered to be presented to His Excellency the Governor.
MR. WENTWORTH'S RESOLUTIONS.
The following is the motion standing in Mr. Wentworth's name for Tuesday next:—That the Council having had under consideration the copy of a Despatch from the Right Honorable Earl Grey, her Majesty's Principal Secretary of State for the Colonies, to His Excellency the Governor Sir Charles Augustus Fitz Roy, No. 203, dated Downing-street, 31st July, 1847, it is resolved thereupon:—
(1.) That the only useful amendment of our present Constitution as established by the Imperial Act 5 and 6 Victoria, cap. 16, suggested in this Despatch, is, the proposition relative to a Congress from the various Colonial Legislatures in the Australian Colonies, with power to enact laws on inter-colonial questions; that such a Congress, if not too numerous, might be got together for short periods at certain intervals; but that all the rest of the scheme developed in this Despatch is so cumbersome and expensive, and implies so numerous, so concentrated, and so opulent a population, to carry out its indispensable details, that it is wholly unsuited to the circumstances of our population, and if passed into law must of necessity become a dead letter.
(2.) That the allegation contained in the Despatch that this Council "has absorbed all the powers of the colonial state," in derogation of the "balance and checks" intended to be established by the Municipal Corporations created by the Imperial Act, is wholly unfounded; and granting it to be true "that the Municipalities have only a nominal existence," their abeyance is ascribable mainly to the incompleteness of the machinery devised for carrying them into effect. That it could scarcely, however, be expected that this Council would lend its aid (which it had an undoubted right either to grant or withhold) in extending, as it was called upon to do, by the late head of our Executive, a scheme of municipal government which it had denounced as one of the constitutional grievances of the colony, and the failure of which, from its evident inapplicability to the dispersed state of our rural population, and the mischievous tendencies with which it is fraught, was a subject of congratulation among all classes of the people, and most of all among those who were to have been participants of the fancied benefits which

the home Government had suspended Mr. Webb, the Sub-Collector, and afterwards, on his explanation, reduced the amount of the surcharge to which he was reported to be liable, to £32. The home Government in this case had decided for itself. Had that matter, just as nearly concerning the colony as the present, been referred to the Council? No; but Mr. Barnes is then sent here on another inspection errand, and makes these surcharges against his honorable friend the Collector of Customs. Whether those charges were just or unjust, was not the question; but to get rid of the duty themselves, the home Government flung these accounts to the Council for examination. He contended the Council had nothing whatever to do with them; and, further, that the proposed examination of them was absolutely impracticable. He, for one, pleaded guilty to the grossest ignorance of anything connected with such matters. He was in a state of the deepest mental darkness as to the meaning and uses of customs and manifests, and all the mere technicalities connected with the subject, which the Council would have to go through a regular course of schooling to comprehend. It would, he felt sure, take him a full fortnight to acquire the correct meaning of the mere technical terms, whilst to wade through the complicated mass of accounts, and the matters of official routine, which were in dispute between the parties at issue, would be an endless work. But notwithstanding these difficulties, if this examination were a duty on the part of the Council, if it were one involving anything like corruption, or endangering the rights or interests of the colonists, all the labour and trouble, and application required for the performance, should be disregarded; and however difficult and disagreeable the task might be, they ought never to rest till it was completed. They were the great inquest of the colony, as the Parliament was of the Empire. They were not a mere legislative or money-making machine. The protection of the entire interests of the colony devolved on them. With respect to the colonists of New South Wales, the same functions appertained to them as to the Commons of England. But this was no duty belonging to them; and even when Parliament did go into any such enquiry, it did it of its own motion, and not, as this was attempted to be forced upon them, by the direction of the Minister; and there had been instances in which public delinquents had been impeached without the consent of the Minister at all. But there was one other objection to their having anything to do with this enquiry, which appeared to him to be more strong than any which he had as yet urged. That objection was, that whatever the result of the enquiry might be, whatever the decision to which they arrived on it might be, they had no assurance that it would be considered by the home Government. What security had they that their decision and recommendations on this point would be respected. Why should a Secretary of State, who would not allow them to appoint a select committee according to their own standing orders—who habitually condemned, despised, and spit upon their acts and suggestions—pay any regard to what they might say or do in this matter. He for one would not consent to such a concession of their independence as to make this enquiry, which they had no right to make, which they were not called upon by their duty to make, merely on the dictation of the Secretary of State when they were allowed to do nothing in reference to matters which they did understand, and which came within the proper sphere of their duties. It was only giving an opportunity to the Secretary of State to visit facts with still further insult and contumely. This was what he most complained of. Without some assurance that their enquiry would be considered of some small, what was of this Colonial Secretary but an insulting mockery of courtesy to veil an excuse for throwing an irksome job off his own hands? These were the words of the Secretary of State, considering that the whole of the revenue, the receipt and collection of which have been thus investigated, is placed at the disposal of the Legislative Council, is of opinion that a question affecting that revenue to so great an extent should not be finally disposed of by any authority in England until the Council shall have had an opportunity of informing themselves, and of submitting to the Queen their opinion as to the State which it would be right and judicious to pursue. Now what was it that this seeming courtesy really implied. Simply that the Council might report, but that their report should not be final or conclusive. They might make enquiries, they might take explanations, they might make plain all the dark and mysterious technicalities of the documents on the table, and they might advise Her Majesty what course to pursue; but it was still quite optional for Her Majesty, or rather her adviser, to have his own way. They might do this disagreeable piece of work—and have the Colonial Secretary regardless of their opinion, or coolly telling them of their ignorance. Many questions had been before the Council which they did understand, (and he contended they did not understand this) which they were quite competent to deal with, (and he repeated they ought not to entertain this), and they had given their opinions upon them; but which of their opinions had been respected or acceded to by the Minister? Had their opinion been taken on the subject of the price of Crown lands, of which they may be the best judges? Had their opinion been respected on the subject of the schedules appended to the Constitutional Act. Had their wishes been met in the appeals they had made, backed by the colony at large, against the destructive system of District Councils. Were they blind to the rejection of their opinions on all these matters. Matters which they must be more capable of judging of than any other body; or would they, seeing how they had been treated on these subjects, bow down and pray for renewed insult? (Cheers). Let them look at the dignified position they would hold. They would make a report, recommending some course. They would report on a careful investigation of the merits [of the case, the Minister would have made some use, with a careless ease, would coolly set aside the wish of the Council, to follow his own will, and show how contemptibly insignificant an opinion from a colonial Legislature must be, even when asked for, of clashing with the views of the

supreme power in Downing-street. What earthly fruit had the Council to expect from this examination if made. What possible good to the colony could accrue from it, and why should they go out of their way to make it? They were not allowed to elect a Committee in their own way. Let those honorable members who would condescend to enter into the enquiry do so. He for one would never be a party to it. Mr. Barnes was not the officer of the colony or the Council, he was the officer of the home Government, and to those who employed him, let him send his report. What chance had they of judging whether his report was true or false? Let the officer of the home Government defend himself to the home Government. That Council had no power to call him before them, or ask explanations from him. He repeated that the Council would be guilty of the greatest self-degradation if they interfered in this matter at all. They could not by any possibility have time to do so; and in respect to a department on which they have been so pointedly insulted, they ought not to consider the proposition for one moment. He therefore should propose the following resolution—
Resolved, That the consideration of the Message from His Excellency the Governor, No. 15, that as the report of the Customs Department has been expressly withdrawn from the control of the Council, by the statute 7 and 8 Vict. c. 72, and as no assurance is given to the Council that the result of the proposed investigation will be final, or will indeed be in any way the ultimate decision of the Board of Customs, the Council declines to enter into investigation of the surcharges against the Collector of Customs.
Captain O'CONNELL seconded the resolution, and should have been pleased to have recorded his vote in silence, had it not been for the pointed animosity with which the honorable and learned member for Auckland had attacked some of the appointments made by the late Governor. Not indeed content with attacking the appointment, he had ventured to attack the private character of the Sub-Collector of Customs for Moreton Bay. He would not dispute with the honorable and learned member the perfect right he possessed to complain of the corruption or incapacity of any officer of the Government in his official capacity; but he must express his strong opinion that the honorable and learned member had gone very much out of his way, to avail himself of his professional knowledge in the Supreme Court, to throw out insinuations upon the private character of any individual. He could not but think that any attacks on private character were highly discreditable, and recoiled upon the character of the House itself. It was not fair of any honorable member to take advantage of his position in that House to assail any individual, and unsettle opinion concerning the rectitude of his private conduct. It was most advisable that personal allusions of any kind should, as much as possible be avoided. He did conceive it necessary to go into the main subject before them, agreeing as he did with much that had been urged by the honorable and learned member for Auckland. It fell from the honorable and learned member for Auckland, respecting the appointment of the Sub-Collector of Customs at Moreton Bay. He thought it due to him that he should, as far as possible, defend that gentleman from the attempts that had been made to assail his private character. He could safely state that he was utterly at a loss to understand the allusion of the hon. and learned member, for he had never heard a word breathed against his private character, or his honour or moral rectitude in any way impugned. But he knew him to be a man of talent and capacity, and that he had had the honor to show that, being subjected to any measure of slander spread by his opponents behind his back, and when he was not present to answer for himself. He believed a man of his stamp, a man of undoubted talent, must be an advantage to any department, and any rule that went to prevent such an appointment, if such a rule did exist, would be a wise one. He (the Attorney-General) had very little acquaintance with the gentleman in question personally, but he would own that he had a high respect for his talents and the honesty with which he had always conducted them. He deemed that the revenue, of the abstraction of which from the control of the Council the hon. and learned member complained, had ever been taken away from them. He asserted now, as he had contended when the question was first brought under the consideration of the House, that the Constitutional Act never gave the Council the control of these revenues. (Oh, oh.) The Act 7 and 8 Vict. c. 72, intended to be the Act of the Council, to the hon. and learned member for Auckland as having deprived the Council of this power, was merely a declaratory Act explaining the meaning and intention of the Constitutional Act. He agreed, however, considering their position, the shortness of the session before them, that any enquiry at this stage would be entirely hopeless.
Mr. BLAND thought that the facts that had been elicited in the discussion had shown that the principal irregularities that had occurred were in the Customs House department at home. The accounts at home, they heard, were audited annually, but accounts from this colony, at so great a distance, were allowed to remain unaudited for years. This proved that either audit of the accounts of this colony was not necessary, or that the duty had been most shamefully neglected at home. It was one more proof of the absurdity of managing affairs in Downing-street, which occurred 16,000 miles off. With regard to the enquiry, he considered it perfectly impracticable as well as perfectly useless. If the charge were proved, what avail would it be if the balances had been allowed to run on to a sum far beyond the power of any individual in the colony to make restitution. Why, too, was the enquiry confined to one particular year, and that year one of enormous trade and speculation? Why were not the years 1845 and 1846 taken up by Mr. Barnes. He should seriously oppose any measure of enquiry into accounts so far back as the year 1840. No satisfactory evidence could be given, and such enquiry must therefore be perfectly nugatory.
The COLONIAL SECRETARY perfectly agreed with honorable members, and wished to be distinctly understood to state that there was nothing whatever in this matter to impeach the honour of his honorable friend the Collector of Customs. All that was intended in the report was a laxity in the production of certain vouchers, which rendered him liable to certain charges for duties alleged to have been

omitted to be charged. They had heard the explanation of his honorable friend with regard to the leakage and other items, and he had no doubt that at a proper time that explanation could be fully sustained. Much stress had been laid upon the enquiry being confined to the year 1840, but he thought this might be well accounted for by the fact of this being the period at which Mr. Barnes's previous inspection ceased, and it was therefore natural he should resume it at the place where he left off. No doubt he intended to go through the whole of the subsequent years, but he doubtless found it impossible to do so, the trade being so much larger, and the transactions so much more numerous than he could have anticipated. He fully believed that the intention of the British Government in referring this matter to the Council had been most courteous, and he regretted it had not been met in the same spirit. He had great faith in the correctness of his hon. friend the Collector of Customs, and could only wish that an opportunity were afforded him of completely justifying himself from charges, of the nature of which he for one owned himself profoundly ignorant.
Mr. COWPER, like the Colonial Secretary, was profoundly ignorant of the nature of the charges against the Collector of Customs, and a firm faith in the ability of that officer to afford the most satisfactory explanation. But he entirely agreed with the honorable and learned member for Auckland, in the reasons he had so forcibly laid before the Council, why he should refuse to deal with this subject at all. Those arguments entirely convinced him, and he had heard nothing since to change his opinion. Looking at the way that they had been treated on other subjects, they would never have had the seeming courtesy proffered to them had it not been the desire of the home Government to shelve the matter altogether.
Mr. LOVE had listened to the homily of the hon. and gallant member for Port Phillip with deep attention, and had endured the lecture of his hon. and learned friend the Attorney-General with the greatest patience, and he was willing to say in the reference he had made to the private character of the Sub-Collector of Customs for Moreton Bay that he had acted wrongly, and was sorry for it. But this was the extent to which his recantation could go; for the appointment itself, he denounced as a bookkeeper's job as was ever perpetrated. The person appointed to do a job of ink or a sheet of blotting paper—and what claim this gentleman, as it was the fashion to call him, could have on the ground of merit or desert to a place in the Customs he was at a loss to know. As to the proceedings of Mr. Barnes, some hon. members it would seem had fallen pretty nearly into the same error as that of which they had accused him—in ascribing selfish and improper motives as the origin of his appointment. He did not think this was desirable. The Council ought not to express any opinion in the matter till it had been fairly judged. Not even should any expression go forth to induce an impression in favour of either of one party or the other, however much the good wishes and confidence of the House, in which he heartily joined, went in favour of the honorable Collector of Customs. There was one other point suggested itself to him why they should not undertake this enquiry. He supposed Mr. Barnes's expenses were paid out of the revenues of the colony, and if so it would have been but fair if the Council had been asked their pleasure before this inspection commenced, and he rather fancied they would have declined the expensive pleasure of paying for the tying of the *Vendex* knot they were now asked to unravel. With regard to the courtesy of the home Government, he could not understand it or believe it. He was not quite a child to be insulted one day and patted on the head the next, and he therefore maintained that in support of their position they ought resolutely to decline all interference in this matter.
The question was then put and passed, and an address, embodying a resolution ordered to be presented to His Excellency the Governor.
MR. WENTWORTH'S RESOLUTIONS.
The following is the motion standing in Mr. Wentworth's name for Tuesday next:—That the Council having had under consideration the copy of a Despatch from the Right Honorable Earl Grey, her Majesty's Principal Secretary of State for the Colonies, to His Excellency the Governor Sir Charles Augustus Fitz Roy, No. 203, dated Downing-street, 31st July, 1847, it is resolved thereupon:—
(1.) That the only useful amendment of our present Constitution as established by the Imperial Act 5 and 6 Victoria, cap. 16, suggested in this Despatch, is, the proposition relative to a Congress from the various Colonial Legislatures in the Australian Colonies, with power to enact laws on inter-colonial questions; that such a Congress, if not too numerous, might be got together for short periods at certain intervals; but that all the rest of the scheme developed in this Despatch is so cumbersome and expensive, and implies so numerous, so concentrated, and so opulent a population, to carry out its indispensable details, that it is wholly unsuited to the circumstances of our population, and if passed into law must of necessity become a dead letter.
(2.) That the allegation contained in the Despatch that this Council "has absorbed all the powers of the colonial state," in derogation of the "balance and checks" intended to be established by the Municipal Corporations created by the Imperial Act, is wholly unfounded; and granting it to be true "that the Municipalities have only a nominal existence," their abeyance is ascribable mainly to the incompleteness of the machinery devised for carrying them into effect. That it could scarcely, however, be expected that this Council would lend its aid (which it had an undoubted right either to grant or withhold) in extending, as it was called upon to do, by the late head of our Executive, a scheme of municipal government which it had denounced as one of the constitutional grievances of the colony, and the failure of which, from its evident inapplicability to the dispersed state of our rural population, and the mischievous tendencies with which it is fraught, was a subject of congratulation among all classes of the people, and most of all among those who were to have been participants of the fancied benefits which

the home Government had suspended Mr. Webb, the Sub-Collector, and afterwards, on his explanation, reduced the amount of the surcharge to which he was reported to be liable, to £32. The home Government in this case had decided for itself. Had that matter, just as nearly concerning the colony as the present, been referred to the Council? No; but Mr. Barnes is then sent here on another inspection errand, and makes these surcharges against his honorable friend the Collector of Customs. Whether those charges were just or unjust, was not the question; but to get rid of the duty themselves, the home Government flung these accounts to the Council for examination. He contended the Council had nothing whatever to do with them; and, further, that the proposed examination of them was absolutely impracticable. He, for one, pleaded guilty to the grossest ignorance of anything connected with such matters. He was in a state of the deepest mental darkness as to the meaning and uses of customs and manifests, and all the mere technicalities connected with the subject, which the Council would have to go through a regular course of schooling to comprehend. It would, he felt sure, take him a full fortnight to acquire the correct meaning of the mere technical terms, whilst to wade through the complicated mass of accounts, and the matters of official routine, which were in dispute between the parties at issue, would be an endless work. But notwithstanding these difficulties, if this examination were a duty on the part of the Council, if it were one involving anything like corruption, or endangering the rights or interests of the colonists, all the labour and trouble, and application required for the performance, should be disregarded; and however difficult and disagreeable the task might be, they ought never to rest till it was completed. 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That objection was, that whatever the result of the enquiry might be, whatever the decision to which they arrived on it might be, they had no assurance that it would be considered by the home Government. What security had they that their decision and recommendations on this point would be respected. Why should a Secretary of State, who would not allow them to appoint a select committee according to their own standing orders—who habitually condemned, despised, and spit upon their acts and suggestions—pay any regard to what they might say or do in this matter. He for one would not consent to such a concession of their independence as to make this enquiry, which they had no right to make, which they were not called upon by their duty to make, merely on the dictation of the Secretary of State when they were allowed to do nothing in reference to matters which they did understand, and which came within the proper sphere of their duties. 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Had their opinion been respected on the subject of the schedules appended to the Constitutional Act. Had their wishes been met in the appeals they had made, backed by the colony at large, against the destructive system of District Councils. Were they blind to the rejection of their opinions on all these matters. Matters which they must be more capable of judging of than any other body; or would they, seeing how they had been treated on these subjects, bow down and pray for renewed insult? (Cheers). Let them look at the dignified position they would hold. They would make a report, recommending some course. They would report on a careful investigation of the merits [of the case, the Minister would have made some use, with a careless ease, would coolly set aside the wish of the Council, to follow his own will, and show how contemptibly insignificant an opinion from a colonial Legislature must be, even when asked for, of clashing with the views of the

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Captain O'CONNELL seconded the resolution, and should have been pleased to have recorded his vote in silence, had it not been for the pointed animosity with which the honorable and learned member for Auckland had attacked some of the appointments made by the late Governor. Not indeed content with attacking the appointment, he had ventured to attack the private character of the Sub-Collector of Customs for Moreton Bay. He would not dispute with the honorable and learned member the perfect right he possessed to complain of the corruption or incapacity of any officer of the Government in his official capacity; but he must express his strong opinion that the honorable and learned member had gone very much out of his way, to avail himself of his professional knowledge in the Supreme Court, to throw out insinuations upon the private character of any individual. He could not but think that any attacks on private character were highly discreditable, and recoiled upon the character of the House itself. It was not fair of any honorable member to take advantage of his position in that House to assail any individual, and unsettle opinion concerning the rectitude of his private conduct. It was most advisable that personal allusions of any kind should, as much as possible be avoided. He did conceive it necessary to go into the main subject before them, agreeing as he did with much that had been urged by the honorable and learned member for Auckland. It fell from the honorable and learned member for Auckland, respecting the appointment of the Sub-Collector of Customs at Moreton Bay. He thought it due to him that he should, as far as possible, defend that gentleman from the attempts that had been made to assail his private character. He could safely state that he was utterly at a loss to understand the allusion of the hon. and learned member, for he had never heard a word breathed against his private character, or his honour or moral rectitude in any way impugned. But he knew him to be a man of talent and capacity, and that he had had the honor to show that, being subjected to any measure of slander spread by his opponents behind his back, and when he was not present to answer for himself. He believed a man of his stamp, a man of undoubted talent, must be an advantage to any department, and any rule that went to prevent such an appointment, if such a rule did exist, would be a wise one. He (the Attorney-General) had very little acquaintance with the gentleman in question personally, but he would own that he had a high respect for his talents and the honesty with which he had always conducted them. He deemed that the revenue, of the abstraction of which from the control of the Council the hon. and learned member complained, had ever been taken away from them. He asserted now, as he had contended when the question was first brought under the consideration of the House, that the Constitutional Act never gave the Council the control of these revenues. (Oh, oh.) The Act 7 and 8 Vict. c. 72, intended to be the Act of the Council, to the hon. and learned member for Auckland as having deprived the Council of this power, was merely a declaratory Act explaining the meaning and intention of the Constitutional Act. He agreed, however, considering their position, the shortness of the session before them, that any enquiry at this stage would be entirely hopeless.
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